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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,422	01/11/2002	Teruhiko Kori	7217/66290	1067

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10/05/2005

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EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,422

Applicant(s)

KORI, TERUHIKO

Examiner

David G. Cervetti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

PD

DETAILED ACTION

1. Applicant's arguments filed July 7, 2005 have been fully considered but they are not persuasive.
2. Claims 1-2, 4-7, and 10-11 are pending and have been examined. Claims 3, 8-9, and 12-17 have been cancelled.

Response to Amendment

3. The examiner withdraws the objection to the specification.
4. The examiner withdraws the objection to the drawings.
5. Sullivan et al. (US Patent Number 6,069,647, hereinafter "Sullivan") does teach signal switching means, not expressly with these words. However, Sullivan teaches a broadband receiver capable of receiving and performing operations on a digital bit stream in order to select the transmission channel having a desired digital content (column 4, lines 55-67), a first port allows incoming data to be routed (switched) from an input unit to another unit (column 4, lines 55-67, column 5, lines 1-27), transferring data, provided a number of conditions are satisfied (column 7, lines 58-67, column 8, lines 1-60). Sullivan also teaches that the digital content may be decrypted and re-encrypted (column 5, lines 10-55). Therefore, even assuming arguendo that Sullivan does not anticipate, suggest, or teach a "signal switching means for selecting for output to a receiving electronic device an encrypted signal transmitted by a transmitting electronic device or a re-encrypted signal in response to an authentication process", it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sullivan to provide such features. One of ordinary skill in the art

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would have been motivated to do so because Sullivan does teach authenticating a unit (column 4, lines 1-47), the “security-related executable programs” may include a program to authenticate programmable unit (column 5, lines 55-67), loading content or preventing the unit from loading content based on the result of authenticating the unit (column 7, lines 58-67, column 8, lines 1-60).

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. **Claims 1-2, 4-7, and 10-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Sullivan.**

Regarding claim 1, Sullivan teaches an electronic transmission apparatus, comprising: first and second communication means to be connected to a signal transmission line, wherein said signal transmission line interconnects a transmitting electronic device and a receiving electronic device (column 4, lines 1-67); authentication process means for executing a first authentication process with said transmitting electronic device via said first communication means (column 7, lines 58-67, column 8, lines 1-60); decryption means for decrypting an encrypted signal transmitting by said transmitting electronic device (column 5, lines 1-67); processing means for executing an operation process with a decrypted signal obtained by decrypting said encrypted signal at said decryption means (column 5, lines 1-67), wherein said authentication process means supplies key information for decrypting said encrypted signal supplied from said transmitting electronic device based on a result of said first authentication process (column 5, lines 1-67, column 8, lines 1-60), said first communication means supplies said encrypted signal supplied from said transmitting electronic device connected through said signal transmission line to said decryption means and said second communication means (column 4, lines 40-47), and said second communication means enables said receiving electronic device to receive said encrypted signal and said key

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information and to execute a second authentication process with said receiving electronic device (column 5, lines 1-67, column 8, lines 1-60); encryption means for re-encrypting said decrypted signal and for supplying said re-encrypted signal to said second communication means (column 5, lines 1-67); and signal switching means for selecting for output to said second communication means one of said encrypted signal transmitted by said transmitting electronic device and said re-encrypted signal by said encryption means in response to said second authentication process (column 7, lines 58-67, column 8, lines 1-60).

Regarding claim 2, Sullivan teaches wherein said authentication process means supplies key information for authentication of said receiving electronic device and decryption of said encrypted signal from said transmitting electronic device to said receiving electronic device based on a result of said second authentication process (column 7, lines 58-67, column 8, lines 1-60).

Regarding claim 4, Sullivan teaches wherein said authentication process means executes said second authentication process with said receiving electronic device through said second communication means and supplies to said receiving electronic device said key information for decrypting said signal selected by said signal switching means based on a result of said second authentication process (column 5, lines 1-67, column 7, lines 58-67, column 8, lines 1-60, column 9, lines 66-67, column 10, lines 1-5).

Regarding claim 5, Sullivan teaches wherein signal selecting operation of said signal switching means is executed based on a selection signal supplied from said

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transmitting electronic device through said first communication means (column 4, lines 1-67, column 5, lines 1-67).

Regarding claim 6, Sullivan teaches operation input means conducting a switching operation of said signal switching means (column 4, lines 1-67, column 5, lines 1-67).

Regarding claim 7, Sullivan teaches a signal transmission method comprising the steps of: executing a first authentication process with a transmitting electronic device connected via a signal transmission line for connecting said transmitting electronic device and a receiving electronic device (column 7, lines 58-67, column 8, lines 1-60); executing an operation process using a decrypted signal obtained by decrypting an encrypted signal supplied from said transmitting electronic device with key information supplied from said transmitting electronic device based on a result of said first authentication process (column 4, lines 1-67, column 5, lines 1-67); executing a second authentication process with said receiving electronic device connected via said signal transmission line (column 5, lines 1-67); re-encrypting said decrypted signal (column 5, lines 1-67); and selecting for transmission to said receiving electronic device one of said encrypted signal and said re-encrypted signal in response to said second authentication process (column 5, lines 1-67).

Regarding claim 10, Sullivan teaches wherein said selecting of either said re-encrypted signal or said encrypted signal supplied from said transmitting electronic device is executed based on a signal supplied from said transmitting electronic device (column 4, lines 1-67, column 5, lines 1-67).

Regarding claim 11, Sullivan teaches wherein said selecting of either said re-encrypted signal or said encrypted signal supplied from said transmitting electronic device is executed based on an operation result of an operation input means (column 4, lines 1-67, column 5, lines 1-67).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

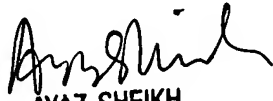
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DGC


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